

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DEANNA L. WASHINGTON BARNES,

Plaintiff,

v.

DEPARTMENT OF THE ARMY,

Defendant.

Case No. 1:19-cv-269

HON. JANET T. NEFF

OPINION AND ORDER

Plaintiff initiated this action on April 8, 2019 with the filing of a complaint (ECF No. 1), which she subsequently supplemented (ECF No. 6). Plaintiff was granted leave to proceed in forma pauperis (ECF No. 4). On May 15, 2019, Plaintiff filed a letter, “seeking financial relief as I await my case” (ECF No. 7). On May 21, 2019, pursuant to 28 U.S.C. § 1915(e)(2), the Magistrate Judge issued a Report and Recommendation (R&R), recommending that this action be dismissed (ECF No. 8). The Magistrate Judge determined that “[w]hile Plaintiff’s pleadings contain numerous conclusions and demands, such do not allege facts which state a valid claim for relief against the Department of the Army or the Veterans Administration” (*id.* at PageID.22). The matter is presently before the Court on Plaintiff’s Objection to the Report and Recommendation (ECF No. 9). Plaintiff has also since filed a “Motion for Order to Continue Case” (ECF No. 11).

Plaintiff presents no discernable valid objection to the Report and Recommendation. Plaintiff merely reiterates the same conclusory statements contained in her pleadings. Therefore, in accordance with 28 U.S.C. § 636(b)(1) and FED. R. CIV. P. 72(b)(3), the Court denies the Objection and adopts the Magistrate Judge’s Report and Recommendation as the Opinion of this

Court. A Judgment will be entered consistent with this Opinion and Order. *See* FED. R. CIV. P. 58. Further, because this action was filed *in forma pauperis*, this Court also certifies pursuant to 28 U.S.C. § 1915(a)(3), as recommended by the Magistrate Judge, that an appeal of this Judgment would not be taken in good faith. *See McGore v. Wrigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

Accordingly:

IT IS HEREBY ORDERED that the Objection (ECF No. 9) is DENIED and the Report and Recommendation of the Magistrate Judge (ECF No. 8) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that Plaintiff's Complaint and Supplement (ECF Nos. 1 & 6) are DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(ii).

IT IS FURTHER ORDERED that Plaintiff's "Motion for Order for Financial Relief" (ECF No. 7) is DENIED.

IT IS FURTHER ORDERED that Plaintiff's Motion for Order to Continue Case (ECF No. 11) is DENIED.

IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of the Judgment would not be taken in good faith.

Dated: December 30, 2019

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge